

Office Of The County Executive

MEMORANDUM

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Date December 10, 1976
HONORARY COUNTY
COUNCIL OFFICE

To John Menke, President, County Council
From James P. Gleason, County Executive
Subject Bill No. 11-76

I have briefly reviewed the draft of Bill No. 11-76 amended after several work sessions. I am particularly concerned about the absence of any clause clearly delineating the County's sole right to operate the County Government in all management rights inherent therein. Any employee relations bill without a management rights clause makes such legislation extremely defective in my view.

I am mindful of the County's thinking in terms of matters for discussion with employee groups. We have historically and will continue to discuss with employees and employee groups all matters of concern to them. Although such matters may be discussed, those concerning management rights should not proceed to the point of developing position papers any more than we would seek position papers on established employee rights.

Therefore, in keeping with the legislative intent, but also in order to avoid future problems with the absence of a management rights clause, the following language is suggested:

Section 33-69(d). NO POSITION PAPER SHALL INCLUDE THOSE MATTERS CONCERNING THE COUNTY'S SOLE RIGHT TO OPERATE THE COUNTY IN ALL MANAGEMENT RIGHTS INHERENT IN IT. THESE RIGHTS INCLUDE BUT ARE NOT LIMITED TO MATTERS WITH RESPECT TO THE MISSION OF THE COUNTY GOVERNMENT, ITS BUDGET, ITS ORGANIZATION, THE NUMBER OF EMPLOYEES AND THE CLASSIFICATIONS AND GRADES OF POSITIONS OF EMPLOYEES ASSIGNED TO AN EMPLOYEE UNIT, WORK PROJECTS OR TOUR OF DUTY, THE TECHNOLOGY OF PERFORMING COUNTY WORK, OR OTHER PROVISIONS THAT ARE INHERENT IN THE MANAGERIAL PROCESS OF DETERMINING THE NECESSARY STEPS TO CARRY OUT THE PUBLIC SERVICE MISSIONS OF THE COUNTY.

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On the matter of the effective date of the bill, I notice that the draft proposes to make Bill No. 11-76 emergency legislation. Please be aware that the enactment of this bill will precipitate immediate responses from employee groups for recognition and will necessitate a supplemental appropriation in order to provide funds for such implementation.